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10/712,788	11/13/2003	Bart Delmulle	944-3.198	7811

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EXAMINER

PAN, YUWEN

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 05/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/712,788	Applicant(s) DELMULLE ET AL.	
	Examiner Yuwen Pan	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9, 17-26, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Ollis et al (US006999721B2).

Per claim 1, Ollis discloses a user device (figure 1) for wireless cellular communication including user interface (101), a multi-wireless protocols interface directly connection to the user device (figure 2), and a short-range transceiver (item 211) for wirelessly communicating with short-range transceivers of peer devices.

Per claim 2, Ollis further teaches that the user interface is operative in combination with the multi-wireless protocols interface (see column 2 and lines 14-25).

Same arguments apply, mutatis mutandis, to claim 19.

Per claim 3, Ollis further teaches that one of the wireless protocols is BLUETOOTH (see figure 2).

Same arguments apply, mutatis mutandis, to claim 20.

Per claim 4, Ollis further teaches that the user device communicate either with BLUTOOTH or Infrared (figure 2).

Same arguments apply, mutatis mutandis, to claim 21.

Per claim 5, Ollis further teaches that the user device further comprising a wireless protocol such as IEEE 802.11b in which has wider coverage than either BLUETOOTH or Infrared standard (see column 1 and lines 40-50).

Same arguments apply, mutatis mutandis, to claim 22.

Per claims 6, and 9, Ollis further teaches that the user device including speaker, and display, a buddy detector application, a buddy list, wherein the buddy list detector checks the buddy list for a record having the identifier including in the received information and announcing to the user (see figures 4-6, column 7 and lines 4-8 and line 17).

Same arguments apply, mutatis mutandis, to claims 23 and 26.

Per claim 7, Ollis further teaches that the identifier is an identifier of a short-range transceiver associated with the predetermined buddy (see figure 5).

Same arguments apply, mutatis mutandis, to claim 24.

Per claim 8, Ollis further teaches that the buddy identifier is a nickname of the predetermined buddy (see figure 5 and 6).

Same arguments apply, mutatis mutandis, to claim 25.

Per claim 17, Ollis further teaches that the user device is within a radio access network.

Per claim 18, Ollis discloses a user device (figure 1) for wireless cellular communication including user interface (101), a multi-wireless protocols interface directly connection to the user device (figure 2), and a short-range transceiver (item 211) for wirelessly communicating with short-range transceivers of peer devices, and the user interface is operative in combination with the multi-wireless protocols interface (see column 2 and lines 14-25), display messages according to corresponding wireless protocol (see figures 4-6).

Per claim 34, Ollis further teaches computer program products for providing a unified object transfer mechanism in a wireless environment in which multiple wireless transfer mechanisms may be possible (see column 3 and lines 45-63).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-16 and 28-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ollis (US006999721B2).

Per claims 11-13, Ollis discloses an analogous art as recited in claim 1. Ollis further teaches central processor for controlling all the operations and application programs (see column

Art Unit: 2618

8 and lines 3-17). Ollis doesn't teaches such process to present the request to a user via the user interface, to signal the user response to the request, to receive command signal indicating commands to cause one or another of various available stimuli sensations via visual and audible. The examiner takes an "Office Notice" that is notoriously well known in the art to assign different color light emitting to different phone numbers so when the corresponding incoming calls the corresponding color of light would emit or same for hearing, the user could assign different ring tones. It would have been obvious to one ordinary skill in the art at the time the invention was made to combine such teaching with Ollis such that it would enhance the using features and more user friendly.

Same arguments apply, *mutatis mutandis*, to claim 28-30.

Per claim 14, Ollis further teaches that its invention applicable to PC, PDA, etc. (see column 4 and lines 33-47). The users would be able to send and receiving data information via one of wireless transfer mechanism (see column 5 and lines 24-36). Although Ollis doesn't expressly teach that user's web page is transmitted among user devices. It would have been obvious to one ordinary skill in the art to have such feature for users to easily delivering personal information over PAN.

Same arguments apply, *mutatis mutandis*, to claim 31

Per claim 15, Ollis further teaches that the user device keep record of all the reachable devices within the vicinity by listing their nickname identifier. The user of the user device doesn't need to known the particular wireless protocol the user device is communicating with

Art Unit: 2618

one of the device in the vicinity (see figures 4-6). The display of the user device only shows nickname of reachable devices. There is no listing type of wireless protocol that is associated with such as BLUETOOTH or Wi-Fi, etc. Ollis doesn't expressly teach the phone list feature with associated nicknames. Based on the teaching nickname identifier with wireless protocol and obviousness of utilizing phone list within a wireless phone, it is obvious to one ordinary skill in the art to display the nicknames of the call lists such that it is more user friendly since the user is more familiar with personal name than pure numbers.

Same arguments apply, *mutatis mutandis*, to claim 32.

Per claim 16, Ollis doesn't teach sending short message via wireless protocols. It is almost inherent for most wireless handhold devices today.

Same arguments apply, *mutatis mutandis*, to claim 33.

5. Claims 10 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ollis (US006999721B2) in view of Rune et al (US 2001/00229166).

Ollis discloses an analogous art as recited in claims 1 and 18. Ollis doesn't teaches a scatternet in which connects all the piconets and expanding the coverage of short-range transceivers. Rune discloses an intelligent piconet forming in which one node with in the piconet would be able to communicate with another node within another piconet. It would have been obvious to one ordinary skill in the art at the time the invention was made to combine the teaching of Rune with Ollis such that a user device is able to reach another device even that it is outside of the direct coverage of its short-range wireless protocol.


*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 571-272-7855. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anderson D. Matthew can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Yuwen Pan  
May 6, 2006

  
Matthew Anderson  
SPE 2618